

REMARKS

Claims 3, 16-22, 24-33, 41 and 42 are pending in the application. Claims 16-22, 24, 27-33, 41 and 42 have been withdrawn from consideration due to a restriction requirement. Claims 1-2, 4-15, 23, 34-40, and 43 have been cancelled. Claim 25 is currently amended. Claims 3 and 26 are currently cancelled. The now pending claim in the application in accord with 37 CFR 1.121, as revised, are set forth above.

Applicants respectfully direct the Examiner to an apparent error on the "Office Action Summary" in which claim 13, a cancelled claim, was newly rejected. However, it appears from the "Detailed Action" that it was actually claim 3 that was rejected. Accordingly, applicant's respectfully request the withdrawal of the rejection of claim 13.

No new matter has been introduced by virtue of the amendments made herein. Accordingly, applicants respectfully request their entry. In view of the amendments made herein and the remarks below, applicants respectfully request reconsideration and withdrawal of the rejection set forth in the May 20, 2004 office action.

Objection under CFR 1.75 (c)

The Examiner objected to claim 25 as being improperly dependent on cancelled claim 23. Without prejudice, and solely in order to expedite the prosecution of the subject application, applicants have amended claim 25 to be in independent form.

Accordingly, applicants submit that claim 25, as amended, is allowable, and respectfully request the Examiner to withdraw the objection to the claim.

Rejection under 35 U.S.C. § 101

The Examiner rejected claim 26 as being directed to non-statutory subject matter because the claim is drawn to data or data that is entirely non-functional descriptive material on computer readable media.

Without prejudice, and solely in order to facilitate the prosecution of the subject application, applicants have cancelled claim 26.

Accordingly, applicants respectfully request the Examiner to withdraw the rejection under 35 USC § 101.

Rejection under 35 U.S.C. § 112 and § 103(a)

The Examiner rejected claim 3 under 35 USC §112 as being indefinite because the claim contains the trademark name CATALYST. Applicants were willing to amend the claim to replace CATALYST with a generic term. However, the Examiner also newly rejected claim 3 under 35 USC §103(a) despite having declared that claim 3 was allowable in the Action dated December 12, 2004 (see page 3, section 8). Applicant respectfully disagree with the Examiner's new

rejection of claim 3 under 35 USC §103 (a), as applicants believe, as the Examiner originally did, that claim 3 is allowable and is not obvious under 35 USC § 103(a).


Nonetheless, without prejudice, and solely in order to facilitate the prosecution of the subject application, applicants have cancelled claim 3. Accordingly, applicants request the Examiner to withdraw the rejections under 35 USC § 112 and §103(a).

In view of the amendments set forth herein and remarks above, the applicants respectfully submit that the pending claim 25 is fully allowable, and solicit the issuance of a notice to such effect. If a telephone interview is deemed to be helpful to expedite the prosecution of the subject application, the Examiner is invited to contact applicants' undersigned attorney at the telephone number provided.

The Commissioner is hereby authorized to charge any fees required under 37 C.F.R. §§1.16 and 1.17 or to credit any overpayment to Deposit Account No. 16-1445.

Respectfully submitted,

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Jason G. Tebbutt
Attorney for Applicant(s)
Reg. No. 55,671

Pfizer Inc
Patent Department
150 East 42nd Street – 5th Floor
New York, NY 10017-5755
(212) 733-4827